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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/790,030	03/02/2004	Tomohide Aoki	26DT-005-CON	9755
23400 7590 04/05/2007 POSZ LAW GROUP, PLC 12040 SOUTH LAKES DRIVE SUITE 101 RESTON, VA 20191			EXAMINER LEE, EDMUND H	
			ART UNIT 1732	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		04/05/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/790,030

Applicant(s)

AOKI ET AL

Examiner

EDMUND H. LEE

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1732

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 6-11 and 15-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 6-11 and 15-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 10/084,657.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>3/2/04</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Figure 13 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 6-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aoki et al (US 2001/0047822) in view of Gram (US 2004/0119200). In regard to claim 6, Aoki et al teach all of the claimed limitations (paragraphs 0032, 0034, and 0050; figs 1-7) except allowing the second material to flow through an end of the tube portion into the cavity. It should be noted that Aoki et al teach molding the joint main body, barrier layer, and end portion by two-color/two-shot injection molding. Gram teaches forming a composite by two-color/two-shot injection molding (figs 1-6); and forming the outer body first and then molding the inner body second (figs 1-6). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to efficiently

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form the fuel tank welding joint of Aoki et al by two-color/two-shot injection molding as taught by Aoki et al and described by Gram. In regard to claims 7-10, such are taught by Aoki et al (paragraphs 0032, 0034, and 0050; figs 1-7). In regard to claim 11, the use of a specific apparatus structure is a mere obvious matter of choice dependent on equipment availability and of little patentable consequence to the claimed process since it is not a manipulative feature or step of the claimed process. Further, the claimed apparatus structure is well-known in the molding art. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the claimed apparatus structure into the process of Aoki et al in order to form a high quality article.

4. Claims 15-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aoki et al (US 2001/0047822) in view of Gram (US 2004/0119200). In regard to claim 15, Aoki et al teach all of the claimed limitations (paragraphs 0032, 0034, and 0050; figs 1-7) except allowing the second material to flow through an end of the lid main body into the cavity. It should be noted that Aoki et al teach molding the joint main body, barrier layer, and end portion by two-color/two-shot injection molding. Gram teaches forming a composite by two-color/two-shot injection molding (figs 1-6); and forming the outer body first and then molding the inner body second (figs 1-6). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to efficiently form the fuel tank welding joint of Aoki et al by two-color/two-shot injection molding as taught by Aoki et al and described by Gram. In regard to claims 16-19 and 21-24, such are taught by Aoki et al (paragraphs 0032, 0034, and 0050; figs 1-7). In regard to claim

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20, the use of a specific apparatus structure is a mere obvious matter of choice dependent on equipment availability and of little patentable consequence to the claimed process since it is not a manipulative feature or step of the claimed process. Further, the claimed apparatus structure is well-known in the molding art. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the claimed apparatus structure into the process of Aoki et al in order to form a high quality article.

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following US patent teaches the state of the art: 6464920, 5139043, 6408867, 6502607, 6382231, 6484741, and 5522417.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to EDMUND H. LEE whose telephone number is 571.272.1204. The examiner can normally be reached on MONDAY-THURSDAY FROM 9AM-4PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christina Johnson can be reached on 571.272.1176. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

EDMUND H. LEE
Primary Examiner
Art Unit 1732

EHL


4/1/04